

**MINUTES**  
**STILLWATER COUNTY BOARD OF HEALTH**  
Monday, February 7, 2022 at 12:00 pm  
West Annex Meeting Room

- I. **ATTENDANCE:** Mark Crago, Tyrel Hamilton, Steve Riveland, Randy Smith, Natasha Sailer
  - a. **Staff:** Amy Stadel, Stephanie Ray, Shannon Fisher, Nancy Rhode
  - b. **Members of the public:** Deanne Boyles, Carey Sheppard, Daniel Sheppard, Guy Boyles, Randall Klarich
  
- II. **REVIEW OF MINUTES**
  - a. Commissioner Hamilton motioned to approve January minutes; Natasha seconded.
  
- III. **CORRECTION OF ACTIONS TAKEN ON OCTOBER 18, 2021**
  - a. October 18, 2021, Unfinished Business, Crow Chief Meadows, Randy motioned to approve the fencing of approximately 1900 lineal feet of an adjoining property in exchange for approximately 4000 square feet of ground needed for a septic install error. Nancy seconded the motion, while all approved. Nancy is not a voting member of the Board of Health. To correct this, **Randy motioned to approve the fencing of approximately 1900 lineal feet of adjoining property in exchange for approximately 4000 square feet of ground needed for the septic install error. Natasha seconded the motion, all approved.**
  
- IV. **BOARD OPENINGS**
  - a. Commissioner Crago-The Commission feels that the board is back to a point to open those positions and getting citizens back involved. We need to get these openings advertised and posted. **Natasha motioned that we will go back to the original formation and get the citizens and medical provider back on the board. Commissioner Riveland seconded. All approved.**
  
- V. **HEALTH OFFICER/HEALTH NURSE REPORT**
  - a. Natasha- Stillwater County has started to receive the allocation from the Governor of Montana to provide free test kits for covid. There is a new public health nurse. Her name is Christina Robinson. There are currently 49 new cases of Covid. There are some lead poisoning investigations. There are also cases of Influenza A in the community and 1 case of norovirus.
  - b. Mark-We will continue to make the masks that the county has available to the public.
  
- VI. **NEW BUSINESS**
  - a. **ABSAROKEE SANITARY SEWER OVERFLOW**
    - i. Commissioner Crago- On Wednesday January 19, at approximately 12 pm, an Absarokee citizen got ahold of Commissioner Riveland about sewer coming out of a manhole. There was also sewer backup in some of the neighborhood homes. Commissioner Riveland spoke to Commissioner Crago and he was able

to track down Cathy McClurg, the sewer operator of the Absarokee Sewer District. There were some complications in communication in this matter. The incident started Monday of that week. The Commission was not notified until Wednesday. Cathy informed Commissioner Crago that she had Cotters scheduled to come take a look at the manhole the following day. Commissioner Crago had a conversation about the urgency in this matter and Cotters ended up showing up at 3:45 on Wednesday the 19<sup>th</sup> and had it cleared by 5:30.

- ii. Shannon-Shannon spoke to Cathy and Cathy filled out the form for the DEQ and when she talked to DEQ, Don, a site inspector told her that, at this point whatever had leaked out of the manhole had probably leached into the soil and he believes that we should remove the soil and replace it where the leak was on Dan and Carey Sheppard's property. Shannon reached out to other property owners to make sure no one had been feeling ill or had any symptoms from the sewer backing up into their homes. She also gave guidance on the cleanup.
- iii. Commissioner Crago-there was discussion suggesting a directive from the BOH to the Commission to reach out to the Absarokee Sewer District for more training and check on the requirements and trainings completed.
- iv. **Natasha motioned that the Environmental Health Office of Stillwater County be the record holder of licensure and credits and a local resource for the Sewer District operators of Stillwater County. Randy seconded the motion. All approved.**
- v. Commissioner Crago-addressed the public.
  - 1. Carey Sheppard- She is happy with the response and follow up of the Commission. If the DEQ recommends digging up the soil in her yard and replacing it, she would support that.
  - 2. Deanne Boyles-Her concern is that Cathy is not properly trained to handle these situations.
  - 3. Guy Boyles – He would like to see the manholes maintained on a regular basis.
  - 4. Daniel Sheppard-He was not happy that no one was notified, once they discovered there was a problem. He feels that Cathy should have notified the neighbors to slow down on their water usage until the problem was fixed.

## **VII. UNFINISHED BUSINESS**

### **a. MORAN WORK CAMP UPDATE**

- i. Stephanie-Moran did submit the CUP to the Planning Department and we are working on a draft staff report, in preparation for the Public Hearing, February 15 at 9:30 am. The planning department is still working on getting the flood plain permit into compliance and that will have its own set of conditions associated with it. We have been working with road and bridge on the encroachment permit, it will also have its own set of conditions. There will also be a staff report, with its own set of conditions. We also sent a certified letter to

Jason Moran, revoking the septic permit that was issued in June as it did not follow the proper order of documentation in permitting at that time. They are currently still under the cease-and-desist order.

- ii. Mark opened the meeting up for public comment.
  - 1. Randall Klarich-Is a neighbor to the Moran work camp. He is not happy with the project as he feels it is hindering his quality of life. He is not happy about the noise, the construction, or cars.
    - a. The Commissioners assured Randall that the county is doing everything they can to make sure Moran is doing everything in compliance.
    - b. Randy explained that if Moran followed the process and got all of the permitting, there is nothing the Board of Health can do to stop them from building.

#### VIII. GURLEY SEPTIC APPLICATION

- a. Shannon-KLJ has told us that Mr. Gurley is in violation of his COSA. We did receive a new as built drawing from Nate Jones and letter stating that this system was installed per the county's specs. Mr. Gurley is not happy that the COSA rewrite was going to cost \$4800. He believes that part of that cost should fall on the county.
  - 1. Commissioner Crago-This septic system was approved by Josh Juarez, our previous sanitarian. No permit was issued. The system was installed outside of the plotted location of this subdivision was supposed to be by the installer.
  - 2. Stephanie- There was a septic application, and there was an email exchange from Josh stating that "it looks good to me, as long as you are 100 feet away from the well on lot 4". The installer and the property owner took that approval, without getting a Construction Authorization from the county and installed the drain field, in the wrong location, against the COSA and within the 100 feet from the adjacent property owners well. Not only did it negatively affect Mr. Gurley's lot, it is now affecting the adjacent lot owner. The adjacent lot owner needs to concur to the COSA rewrite, if they are not in concurrence, Mr. Gurley will have to remove his septic drain field. The Environmental Health Department has been advised to notify the DEQ of the violation.
  - 3. **Commissioner Hamilton motioned that the Environmental Health Department file the DEQ violation on this property and to inform Mr. Gurley that the Board of Health believes that this is a civil matter, not a matter between the homeowner and the County. Randy seconded. All approved.**

#### IX. JOPSON COMPLAINT

- a. The property owner is still in California. Stephanie will draft the letter that will alert the property owner of the violations. Commissioner Crago would like the letter sent asap with corrective action dates.

**X. HOMESTEAD UPDATE**

- a. Nancy-The engineer had written a letter and had a list of things he still needed to do and they are still denying access to the building to scope the lines. It was set up for a status hearing, but it got postponed and reset. DEQ still has not given the county attorneys office any reports. The engineer is going to reach out to DEQ as well.
- b. Natasha would like for the Environmental Health department to request water samples on a regular basis from the Fire Department and the Park City School so the BOH can monitor the nitrate numbers.

**XI. PEARSON UPDATE**

- a. Shannon-Still waiting to hear back from the contracts officer with the DEQ. She would like to make Megan Spry our contact for DEQ reviews, particularly in this case. Josh Juarez was alerted of this situation when he was the Stillwater County Sanitarian and it was left unresolved. The last correspondence with DEQ, they indicated that there was nothing wrong with Mr. Pearson's septic, but that is not the case.
  - i. If we are able to get Megan on this case, she will assist in writing Mr. Pearson a violation letter.

**XII. CROW CHIEF MEADOWS**

- a. Commissioner Crago-The survey should be in the completion process and should be ready for bids for the fencing.
- b. Commissioner Riveland-all of the documents have been sent to the property owner for signature and has been returned to be filed with the Clerk and Recorder.

**XIII. ENVIRONMENTAL HEALTH UPDATE**

- a. Randy made a motion to have the Commissioners and the BOH send a letter to the Department of Environmental Quality to bring Megan Spry on board to do our county DEQ reviews. Commissioner Riveland seconded the motion. All approved.

**XIV. ADJOURN**

- a. Commissioner Crago adjourned the meeting at 1:51 pm

Amy Stadel-Environmental Health

